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**UNITED STATES DISTRICT COURT**  
**District of Minnesota**

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American Institute of Physics, John Wiley &  
Sons, Inc., and Wiley Periodicals, Inc.,  
Plaintiff

**JUDGMENT IN A CIVIL CASE**

V.

Case Number: 12-cv-00528 (RHK/JJK)

Schwegman, Lundberg & Woessner, P.A., and  
John Doe Nos. 1-10,  
Defendant

v.

The United States Patent and Trademark Office,  
Intervenor Defendant.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs' Objections (Doc. No. 252) are OVERRULED;
2. The Report and Recommendation (Doc. No. 250) is ADOPTED;
3. Plaintiffs' Motion to Dismiss and for Summary Judgment on the Counterclaim of Intervening Defendant the United States Patent and Trademark Office (Doc. No. 93) is DENIED AS MOOT;
4. Plaintiffs' Amended Motion for Partial Summary Judgment Establishing the Liability of Defendant Schwegman, Lundberg & Woessner, P.A. for Copyright Infringement (Doc. No. 116) is DENIED AS MOOT;
5. Intervenor Defendant The United States Patent and Trademark Office's Motion for Summary Judgment on its Fair Use Defense and Counterclaim (Doc. No. 153) is DENIED AS MOOT;
6. Schwegman's Motion for Summary Judgment (Doc. No. 156) is GRANTED;
7. Plaintiffs' Motion to Exclude the Expert Witness Testimony of Jean-Pierre Dubé (Doc. No. 160) is DENIED;
8. Schwegman's Motion to Exclude Expert Testimony, Report, and Declaration of Randall H. Victora (Doc. No. 190) is DENIED AS MOOT;
9. Plaintiffs' Motion to Exclude the Proposed Expert Testimony of Douglas Gary Lichtman (Doc. No. 222)

is DENIED AS MOOT; and

10. This Amended Complaint (Doc. No. 41) is **DISMISSED WITH PREJUDICE**.

August 30, 2013

Date

RICHARD D. SLETTEN, CLERK

s/L. Brennan

(By)

L. Brennan, Deputy Clerk